

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

13-CA-252379

Date Filed

11/25/19

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Darren A Freihage, LLC (McDonalds)		b. Tel. No. (815) 469-6300
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 21011 S La Grange Road IL Frankfort 60423-1335	e. Employer Representative	
	g. e-Mail	
	h. Number of workers employed 60	
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurants	j. Identify principal product or service fast food (Mcdonald's)	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

Title:

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

(b) (6), (b) (7)(C)

4c. Cell No.**4d. Fax No.****4e. e-Mail**

(b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By

(b) (6), (b) (7)(C)

(signature of representative or person making charge)

Title:

(b) (6), (b) (7)(C)

(Print/type name and title or office, if any)

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.**Fax No.****e-Mail**

(b) (6), (b) (7)(C)

Address

(b) (6), (b) (7)(C)

11/25/2019 12:48:02

(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

Work Rule
did not want me to discuss hours,wages
did not want to discuss [b)(6)] abusive behavior.
unwilling to train me for better opportunity.
allowed employee to discriminate on social media
allowed managers to discriminate and abuse

Additional Information in Support of Charge

Charging Party Name : (b) (6), (b) (7)(C)

Inquiry Number : (b) (6), (b) (7)(C)

Date Submitted : 11/25/2019 12:48:02

Please provide a brief description of the specific conduct involved in your charge. The information you provide may be viewed by the charged party in the event of a formal proceeding, so PLEASE DO NOT GIVE A DETAILED ACCOUNT OF YOUR CHARGE OR A LIST OF POTENTIAL WITNESSES AT THIS TIME. A Board Agent will contact you to obtain this and other detailed information after your charge is docketed. After you submit this E-Filed Charge form, you will receive a confirmation email with an Inquiry Number (Sample Inquiry Number: 1-1234567890) and a link to the E-Filing web page. You may use the link and the Inquiry number provided in the email to e-file any additional documents you wish to present in support of your charge.

Additional Information Provided:

(b) (6), (b) (7)(C) fired me because i wanted to discuss my hours and wages,

(b) (6), (b) (7)(C) continued to use abusive languages at me and other co-workers.

(b) (6), (b) (7)(C) refused to train me and for the same opportunity given to other employee's

(b) (6), (b) (7)(C) allowed employee to discuss my termination of employment on social media.

(b) (6), (b) (7)(C) made racial remarks against me regarding age and health.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341



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November 25, 2019

Darren A Freihage, LLC (McDonalds)
21011 South La Grange Road
Frankfort, IL 60423-1335

Re: Darren A Freihage, LLC (McDonalds)
Case 13-CA-252379

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Jay B. Greenhill whose telephone number is (312)353-7628 and e-mail address is jay.greenhill@nlrb.gov. If this Board agent is not available, you may contact Supervisory Field Examiner Paul Prokop whose telephone number is (312)353-7171.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by December 9, 2019. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

November 25, 2019

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to be 'P. Ohr', with a long horizontal line extending to the right.

Peter Sung Ohr
Regional Director

JBG/dg

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

13-CA-252379

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: _____**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DARREN A FREIHAGE, LLC (MCDONALDS)

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 13-CA-252379

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on November 25, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Darren A Freihage, LLC (McDonalds)
21011 South La Grange Road
Frankfort, IL 60423-1335

November 25, 2019

Date

Denise Gatsoudis, Designated Agent of
NLRB

Name

/s/ Denise Gatsoudis

Signature



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November 25, 2019

(b) (6), (b) (7)(C)

Re: Darren A Freihage, LLC (McDonalds)
Case 13-CA-252379

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on November 25, 2019 has been docketed as case number 13-CA-252379. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Jay B. Greenhill whose telephone number is (312)353-7628 and e-mail address is jay.greenhill@nlrb.gov. If this Board agent is not available, you may contact Supervisory Field Examiner Paul Prokop whose telephone number is (312)353-7171.

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Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

November 25, 2019

We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to be "P. Sung", written over a horizontal line.

Peter Sung Ohr
Regional Director

JBG/dg
Enclosure:
Copy of Charge

From: [Posey, Sylvia L.](#)
To: (b) (6), (b) (7)(C)
Subject: NLRB Charges
Date: Tuesday, December 3, 2019 11:56:00 AM

Hi (b) (6), (b) (7)(C),

I am the agent assigned to investigate the charges you filed with the National Labor Relations Board. I tried contacting you at the number provided on your charge: (b) (6), (b) (7)(C). However, I was informed that I had the wrong phone number. Please provide a contact number as soon as possible and/or respond to this email. I wanted to discuss scheduling an appointment for you to provide a statement in support of your charges. I can be reached at 312-353-7617.

Sylvia L. Posey



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

Agent's Direct Dial: (312)353-7617

December 4, 2019

Via Facsimile Regular Mail & Email

(b) (6), (b) (7)(C)

Re: Darren A Freihage, LLC
Case 13-CA-252379

and

Marianos

13-CA-252358

Dear (b) (6), (b) (7)(C):

As you are aware, I am the Board agent assisting with the investigation of the unfair labor practice charges you filed alleging the Employer has violated Section 8(a)(1) of the Act. I have tried calling you to schedule an appointment for you to provide a sworn statement, but I haven't received a return call. Therefore, this letter is to confirm that I have scheduled an appointment for you to provide a statement on (b) (6), (b) (7)(C) in our office. Our office is located at Dirksen Federal Building, 219 South Dearborn Street, Suite 808, Chicago, IL 60604-2027.

Your affidavit appointment is scheduled for:

(b) (6), (b) (7)(C) at the NLRB office listed above

As the Regional Director previously indicated in his letter, it is the Charging Party's obligation to promptly present evidence and its duty to cooperate in this investigation. If you do not timely present the Charging Party evidence, then the charge might be subject to dismissal for lack of cooperation, absent withdrawal. Below is other information you should review prior to coming in for your appointment.

INFORMATION FOR WITNESSES

Arrive on Time

Please be prompt for the appointment. If you are running late, please call me at (312) 353-7617.

What to Expect

You will meet privately with the Board agent assigned to your case. The Board agent will interview you concerning the allegations in the charge, giving you full opportunity to explain. The Board agent will prepare a written affidavit (sworn statement) for your signature.

Documents to Bring (if not already provided)

- Copy of any work rules.
- Copy of any disciplinary actions.
- Copy of collective bargaining agreement.

General Information

General information about the NLRB and the National Labor Relations Act, including our customer service standards, can be found on our website, www.nlr.gov. We look forward to serving you.

If you fail to appear or you fail to provide the information as scheduled, and you do not contact me to reschedule this appointment in the same week, this office may assume you are not interested in proceeding with this matter and do not intend to cooperate. This may result in dismissal of the case with no further investigation by this Agency.

Please do not hesitate to contact me if you have any questions. My direct dial is (312)353-7617. Thank you for your cooperation.

Very truly yours,

/s/ Sylvia L. Posey
Sylvia L. Posey
Board Agent

From: [Posey, Sylvia L.](#)
To: smiller@fisherphillips.com
Subject: NLRB Case 13-CA-252379
Date: Monday, December 16, 2019 5:01:00 PM

Mr. Miller,

I am the agent assigned to investigate case 13-CA-252379. At this time, I am still gathering evidence from the Charging Party. After that process is complete, I will contact you if the Region requires a response from the Employer.

Sylvia L. Posey

Case Name: Darren A Freihage, LLC (McDonalds)
Case No.: 13-CA-252379
Agent: FX Greenhill/ FA Posey

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
11/26/19	(b) (6), (b) (7)(C)	Phone	Called and left a message for (b) (6), (b) (7)(C)
12-2-19			Case reassigned to Posey on 12-2-19
(b) (6), (b) (7)(C) 19	(b) (6), (b) (7)(C)	Phone	Left message for (b) (6), (b) (7)(C) to call me asap to schedule AFF
			(b) (6), (b) (7)(C) returned call. Confirmed that number on charge was dialed number. (b) (6) says number is correct but (b) (6) is not (b) (6), (b) (7)(C). Thanked for informing me and stated that we would take (b) (6) number off our list
1-13-20	(b) (6), (b) (7)(C)	Phone	(b) (5), (b) (6), (b) (7)(C)
1-14-20	(b) (6), (b) (7)(C)	Phone	Says (b) (6), (b) (7)(C) would like to possibly appeal R decision Explained that (b) (6), (b) (7)(C) would receive appeal docs and if (b) (6), (b) (7)(C) needed any assistance with filling out (b) (6), (b) (7)(C) could contact me after receipt



UNITED STATES GOVERNMENT
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Fax: (312)886-1341

January 15, 2020

(Via email service unless otherwise indicated)

(b) (6), (b) (7)(C)

Re: Darren A Freihage, LLC (McDonalds)
Case 13-CA-252379

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that Darren A Freihage, LLC (McDonalds) has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that you were discharged in violation of Section 8(a)(1) of the Act. However, the evidence is insufficient to show that you were coerced, threatened, or restrained because of any protected concerted or union activities in which you may have been engaged.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlr.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and [frequently asked questions](#) are also available at www.nlr.gov. If you require additional assistance with E-Filing, please contact E-File@NLRB.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **January 29, 2020**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than January 28, 2020. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal

must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before January 29, 2020**. The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after January 29, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Steve A. Miller, Esq.
Fisher & Phillips LLP
10 South Wacker Drive, Suite 3450
Chicago, IL 60606-7592
smiller@fisherphillips.com

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(Via first class mail)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)